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plaintiffs having stifled prosecution against them for offenses for which they might have been convicted, cannot recover money paid to procure suppression of such prosecutions. *Scott et al v. O'Hara et al.* (Ky. 1912) 150 S. W. 63.

The court applied the well-known rule that where parties are *in pari delicto* the courts will deny relief. CARROLL, J., in a dissenting opinion, argued that plaintiff should be allowed to recover because the defendants had used a court of justice to extort money from plaintiffs and that the threat of prosecution under such circumstances is duress. Some courts have sustained this view, even though the prosecution would have been lawful. *Insurance Co. v. Kirkpatrick, Dunn & Co.*, 11 Ala. 456, 20 So. 651; *Bryant v. Peck & Whipple & Co.*, 154 Mass. 460, 28 N. E. 678; *Adams v. Irving National Bk.*, 116 N. Y. 606, 23 N. E. 7; *Gorringe v. Reed*, 23 Utah 120, 90 Am. St. Rep. 692. For other cases see note in 20 L. R. A. (N. S.) 484. Under the facts of the principal case a court might have applied a well-known exception to the general rule, viz., that even if parties are *in pari delicto* courts will grant relief where public policy requires intervention. *Pratt v. Short*, 79 N. Y. 437, 35 Am. Rep. 531; *Lester v. Howard Bank*, 33 Md. 558, 3 Am. Rep. 211.

CORPORATIONS—STREET RAILWAYS—RIGHTS AFTER EXPIRATION OF FRANCHISE.—When a street railway company's franchise in a street has expired, its right to occupy and use the street then ceases, the city can compel it to remove its property from the street, though the company would yet continue to own the rails and other operating appliances and would have a reasonable time after notice in which to remove such property. *City of Detroit v. Detroit United Railway Co.* (Mich. 1912) 137 N. W. 645. For a discussion of the principles involved, see NOTE AND COMMENT, p. 243, ante.

DAMAGES—PHYSICAL INJURIES RECEIVED FROM FRIGHT WITHOUT CONTEMPORANEOUS BODILY INJURY.—Plaintiff and her husband had just alighted from a buggy in which they were travelling with their children, when the defendant's negligent operation of his automobile caused the team to run away with the buggy containing plaintiff's children. Because of the danger to her children, plaintiff became greatly frightened, from which physical injuries resulted. Defendant demurred to the declaration on the ground that it failed to disclose an actual injury to the plaintiff's person, reputation, or estate, so as to furnish a legal support of a claim for damages. *Held*, the demurrer was properly overruled, as no contemporaneous bodily injury is necessary to support a legal claim for damages received from fright. *Spearman v. McCrary* (Ala. 1912) 58 So. 927.

This is the first time that the above question has been authoritatively passed upon by the Alabama courts, though in *Engle v. Simmons*, 148 Ala. 92, 41 So. 1023, an action for damages growing out of a trespass, the court held that physical injuries received from fright are not too remote but are the proximate result of the wrongful act. The principal case adds another State to the list of those which hold that contemporaneous bodily injury is not necessary to a recovery of damages for physical injuries received from fright. The